

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL HORACEK,

Plaintiff, CIVIL CASE NO. 05-40302

v.

DERRICK LNU, and PEGGY LNU,

HONORABLE PAUL V. GADOLA
U.S. DISTRICT COURT

Defendants.

/

ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION

Plaintiff, a prisoner in Oakland County Jail, filed the instant action alleging that Defendants violated Plaintiff's constitutional rights by denying Kosher meals and certain Jewish religious items and services. Before the Court is Plaintiff's "Petition for Preliminary Injunction or in the Alternative a Temporary Restraining Order." In his motion, Plaintiff requests a restraining order preventing Oakland County Jail officials from hindering Plaintiff's use of the law library and other legal resources.

United States Magistrate Judge Donald A. Scheer issued a Report and Recommendation recommending that Plaintiff's motion be denied. Plaintiff subsequently filed objections to the Report and Recommendation.

Having conducted a de novo review of the Report and Recommendation, of Plaintiff's motion, and of the applicable portions of the record, the Court will accept and adopt the Report and Recommendation as the opinion of this Court. In particular, the Court finds that Plaintiff has failed to demonstrate irreparable injury.

ACCORDINGLY, IT IS HEREBY ORDERED that Plaintiff's objections to the Magistrate Judges' Report and Recommendation [docket entry 15] are **OVERRULED**.

IT IS FURTHER ORDERED that the Report and Recommendation [docket entry 8] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that Plaintiff's motion for preliminary injunction [docket entry 6] is **DENIED**.

SO ORDERED.

Dated: July 5, 2006

s/Paul V. Gadola
HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on July 6, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Dennis D. Alberts; William J. Mann; Benjamin S. Manson, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Daniel Horacek.

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
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